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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                         |
|------------------------|-------------------------|
| Application Number     | 08/788,560              |
| Filing Date            | January 24, 1997        |
| First Named Inventor   | Shunpei YAMAZAKI et al. |
| Group Art Unit         | 2811                    |
| Examiner Name          | O. Nadav                |
| Attorney Docket Number | 740756-1626             |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 18, 2001  
(Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- Other \_\_\_\_\_

b.  Enclosed

- Amendment/Reply
- Affidavit(s)/Declaration(s)
- Information Disclosure Statement (IDS)
- Petition for Extension of Time

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(I) required)

b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-2380.

- RCE fee required under 37 C.F.R. § 1.17(e)
- Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- Other \_\_\_\_\_

b.  Check in the amount of \$1,490.00 enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |              |
|-------------------|---|-----------------------------------|--------------|
| Name (Print/Type) | Eric J. Robinson  | Registration No. (Attorney/Agent) | 38,285       |
| Signature         |  | Date                              | July 2, 2001 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

|                   |  |      |  |
|-------------------|--|------|--|
| Name (Print/Type) |  |      |  |
| Signature         |  | Date |  |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$1,490.00

Complete if Known

|                      |                         |
|----------------------|-------------------------|
| Application Number   | 08/788,560              |
| Filing Date          | January 24, 1997        |
| First Named Inventor | Shunpei YAMAZAKI et al. |
| Examiner Name        | O. Nadav                |
| Group Art Unit       | 2811                    |
| Attorney Docket No.  | 740756-1626             |

| METHOD OF PAYMENT   |                   |
|---|-------------------|
| 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: |                   |
| Deposit Account Number  | 19-2380           |
| Deposit Account Name  | NIXON PEABODY LLP |
| <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17                                     |                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |                   |

| 2. <input type="checkbox"/> Payment Enclosed: |                                      |                                      |                                |  |
|---|--------------------------------------|--------------------------------------|--------------------------------|--|
| <input checked="" type="checkbox"/> Check     | <input type="checkbox"/> Credit Card | <input type="checkbox"/> Money Order | <input type="checkbox"/> Other |  |

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|----------|-----------------------|----------|------------------------|----------|
| 101                   | 710      | 201                   | 355      | Utility filing fee     |          |
| 106                   | 320      | 206                   | 160      | Design filing fee      |          |
| 107                   | 490      | 207                   | 245      | Plant filing fee       |          |
| 108                   | 710      | 208                   | 355      | Reissue filing fee     |          |
| 114                   | 150      | 214                   | 75       | Provisional filing fee |          |

SUBTOTAL (1)  

### 2. EXTRA CLAIM FEES

| Total Claims       | -20** = | Extra Claims | Fee from below | Fee Paid |
|--------------------|---------|--------------|----------------|----------|
| Independent Claims | -3** =  |              |                |          |
| Multiple Dependent |         |              |                |          |

| Large Entity Fee Code | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description                                    |
|-----------------------|----------|-----------------------|----------|--|
| 103                   | 18       | 203                   | 9        | Claims in excess of 20                             |
| 102                   | 80       | 202                   | 40       | Independent claims in excess of 3                  |
| 104                   | 270      | 204                   | 135      | Multiple dependent claim, if not paid              |
| 109                   | 80       | 209                   | 40       | ** Reissue independent claims over original patent |

SUBTOTAL (2) \$

\*\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

| Large Entity Fee Code     | Fee (\$) | Small Entity Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|---------------------------|----------|-----------------------|----------|--|----------|
| 105                       | 130      | 205                   | 65       | Surcharge - late filing fee or oath  |          |
| 127                       | 50       | 227                   | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                       | 130      | 139                   | 130      | Non-English transaction  |          |
| 147                       | 2,520    | 147                   | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                       | 920*     | 112                   | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                       | 1,840*   | 1131                  | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                       | 110      | 215                   | 55       | Extension for reply within first month                                     |          |
| 116                       | 390      | 216                   | 195      | Extension for reply for the second & third months                          | \$780.00 |
| 117                       | 890      | 217                   | 445      | Extension for reply within third month                                     |          |
| 118                       | 1,390    | 218                   | 695      | Extension for reply within fourth month                                    |          |
| 128                       | 1,890    | 228                   | 945      | Extension for reply within fifth month                                     |          |
| 119                       | 310      | 219                   | 155      | Notice of Appeal   |          |
| 120                       | 310      | 220                   | 155      | Filing a brief in support of an appeal                                     |          |
| 121                       | 270      | 221                   | 135      | Request for oral hearing   |          |
| 138                       | 1,510    | 138                   | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                       | 110      | 240                   | 55       | Petition to revive - unavoidable   |          |
| 141                       | 1,240    | 241                   | 620      | Petition to revive - unintentional   |          |
| 142                       | 1,240    | 242                   | 620      | Utility issue fee (or reissue)   |          |
| 143                       | 440      | 243                   | 220      | Design issue fee   |          |
| 144                       | 600      | 244                   | 300      | Plant issue fee  |          |
| 122                       | 130      | 122                   | 130      | Petitions to the Commissioner  |          |
| 123                       | 50       | 123                   | 50       | Petitions related to provisional applications                              |          |
| 126                       | 240      | 126                   | 240      | Submission of information Disclosure Stmt                                  |          |
| 581                       | 40       | 581                   | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                       | 710      | 246                   | 355      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                       | 710      | 249                   | 355      | For each additional invention to be examined (37 CFR § 1.29(b))            |          |
| 179                       | 710      | 249                   | 355      | Request for Continued Examination (RCE)                                    | \$710.00 |
| 169                       | 900      | 169                   | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____ |          |                       |          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

\$1,490.00

## SUBMITTED BY

Complete (if applicable)

|                   |   |                                   |        |           |                |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Eric J. Robinson  | Registration No. (Attorney/Agent) | 38,285 | Telephone | (703) 790-9110 |
| Signature         |  |                                   |        | Date      | July 2, 2001   |